



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 1:01-CR-240(1)

§

JOHNATHON EVANS

§

**MEMORANDUM ORDER ADOPTING
FINDINGS OF FACT AND RECOMMENDATION**

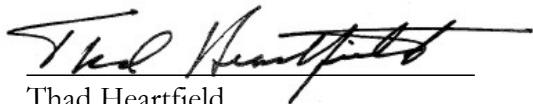
The Court referred this matter to United States Magistrate Judge Keith F. Giblin, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court for the Eastern District of Texas. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the revocation of Defendant's supervised release.

Having conducted the proceedings in the form and manner prescribed by Federal Rule of Criminal Procedure 11, the Magistrate Judge issued his *Findings of Fact and Recommendation on Plea of True* [Clerk's doc. #35]. The Magistrate Judge recommended that the Court revoke Defendant's supervised release. The parties have not filed objections to the Magistrate's recommendation. The Court is of the opinion that the *Findings of Fact and Recommendation* should be accepted.

It is **ORDERED** that the *Findings of Fact and Recommendation* [Clerk's doc. #35] of the United States Magistrate Judge are **ADOPTED**. Accordingly, the Court finds that Defendant, Johnathan Evans, violated conditions of his supervised release. The Court therefore revokes his term of supervision.

Pursuant to the Magistrate's recommendation, the Court **ORDERS** that Defendant serve a term of three (3) months imprisonment. After release from prison, Mr. Evans is further **ORDERED** to report to the United States Probation Office in the district of his release within seventy-two (72) hours to begin service of a new twenty-seven (27) month term of supervised release. The new term of supervision is subject to the standard and special conditions previously imposed in the original judgment of conviction in this cause, including 180 days spent in a community corrections center upon release, plus a new special condition stated into the record at the revocation hearing and made a part of Defendant's waiver and allocution before Judge Giblin.

SIGNED this the 3 day of May, 2005.



Thad Heartfield
United States District Judge